

XXXI COSAC,  
19-20 May 2004  
Dublin, Ireland

# **Involvement of Regional Legislative Assemblies in COSAC?**



Text completed by COSAC secretariat 6 May 2004

## Question of involvement of Regional Legislative assemblies in COSAC

The XXX COSAC in Rome established a Working Group to prepare recommendations on the question of involving *Regional Legislative Assemblies* in the work of COSAC. The Working Group held its first meeting in Dublin on 19 February 2004.

The Irish Presidency circulated on 29 January 2004 a *questionnaire* to the chairpersons of the European Affairs Committees of the National Parliaments and the European Parliament in order to prepare the debate in the Working Group. The purpose was to have the views of the Parliaments on this question recalling that Member States and Candidate countries have different constitutional systems applying to the role and powers of Regional Assemblies.

At the Working Group meeting only 18 replies had been received and it was agreed to complete the survey before preparing any proposals on the issue. The Secretariat was asked to circulate a reminder to Parliaments asking for their contributions. This was done by the secretariat on 18 March 2004.

The COSAC-Secretariat had as of Thursday morning 6 May received 2 additional replies running to 20 replies in all from 15 national parliaments<sup>1</sup> in Austria, Belgium, Czech Republic, Cyprus, Denmark, Estonia, Finland, France, Germany, Italy, Lithuania, Luxembourg, Portugal, Spain and the United Kingdom. To date 10 parliaments have not replied

### I. ASSESSMENT

In 9 out of the 20 replies it was stated that there should be some kind of role for Regional Legislative Assemblies in COSAC either as observers or as participants in the national delegations. In 5 of the favourable replies observer status was proposed for the regional assemblies, while 4 suggested including regional representatives as participants in the national COSAC delegations. However, the latter underlined at the same time that the decision to cede a seat should be left to the discretion of each national parliament.

In 10 replies involvement was rejected, while five of these indicated their willingness to discuss an observer status for the regional assemblies.

Finally, the Spanish Parliament has replied that it is presently not in a position to express a valid position.

#### Replies to question on involvement of Regional Assemblies

	1. Should Regional Assemblies be involved in COSAC?	3. If YES, how should the regional assemblies be involved?
Austria (both chambers)	Yes	1 participant in national delegation
Belgium (Chamber of representatives)	No	But possibly as Observers
Belgium (Senate)	Yes	Observer
Cyprus	Yes	Observer
Czech Republic (chamber)	No	Observer
Czech (Senate)	No	

<sup>1</sup> The reason why there are more replies than parliaments is that the secretariat has received two replies from some Parliaments with two-chamber systems – like Belgium, the Czech Republic, France, Germany and the UK.

Denmark	No	
Estonia	No	Ready to discuss observer status
Finland	Yes	Participant in national delegation
France (Assemblée Nationale)	No	
France (Senate)	No	
Germany (Bundestag)	Yes	1 participant in national delegation
Germany (Bundesrat)	Yes	1 participant in national delegation
Italy	Yes	3 observers proposed by CALRE and appointed by COSACs troika
Lithuania	Yes	Observers
Luxembourg	No	
Portugal	Yes	Observer within framework of CALRE
Spain	-	Not presently able to reply
United Kingdom (House of Commons)	No	But willing to consider a small number of observers.
United Kingdom (House of Lords)	No	But willing to discuss observer status

The 20 replies to the questionnaire can be found in full text in the attached annex A.

## II. HISTORY OF THE DEBATE

The question of involving Regional Parliamentary Assemblies in the meetings of COSAC was raised for the first time in October 2002 by the German Bundesrats European Affairs Committee, at the XXVII COSAC in Copenhagen. At the following COSAC meeting in Athens the Bundesrat formally presented an amendment to the “COSAC Rules of Procedure” suggesting that national parliament should have the possibility to cede 1 of its 6 seats to a regional legislative assembly. At the same meeting the Italian delegation proposed to let regional legislative assemblies participate as “observers”. As no consensus was reached on any of these amendments, it was decided to postpone further examination of the matter to the following COSAC, held in Rome on 6 and 7 October 2003.

### Three amendments on the table in Rome

At the COSAC in Rome, the German Bundesrat and the delegations of the Belgian and Italian parliaments each submitted an amendment to the COSAC rules of procedure. The delegation of the Bundesrat proposed a rewording of its amendment from Athens suggesting that a national parliament delegation should be allowed to cede a seat to a regional legislative assembly.

The amendment proposed by Belgium went a bit further in scope and suggested that each national parliament be represented by six parliamentarians (not necessarily members of the European and Community Affairs Committee or the national parliament). However it would still be up to each parliament autonomously to determine the composition of its delegation.

Finally, Italy proposed that regional legislative assemblies should be represented by three observers in COSAC – appointed by the COSAC Troika after proposal from CALRE<sup>2</sup> and after having consulted the “relevant” national delegations in COSAC.

### **Working group set up in Rome**

COSAC decided at its meeting in Rome to establish an *ad hoc* Working Group responsible for any further examining of the issue. It was decided that the Working Group should start its work already during the Irish EU-presidency.

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<sup>2</sup> CALRE stands for ”Conference of European Regional Assemblies” and is one of a number of European organisation for the Regional Legislative Assemblies. Other regional organisations at the European level are; REGLES, AER, AEBR or CPMR.

## ANNEX A: Replies to questionnaire on the involvement of regional legislative assemblies in COSAC

	1. Should Regional Assemblies be involved	2. What considerations led you to this conclusion?	3. If YES, How should the regional legislative assemblies be involved?	4. If Yes, in your opinion what changes do you consider necessary in the rules of procedure?	5. Any other comments?
<b>Austria</b>	Yes		Participants	Supports amendment from German Bundesrat	
<b>Belgium (Chambre des Représentants)</b>	Non	Risque de prolifération de la COSAC (Il existe actuellement 74 régions dans 8 pays membres)	En tant qu'observateurs	Dans l'article 4.3 du Règlement de la COSAC, il y aurait lieu d'insérer entre les mots "observateurs" et "du" les mots "comité des régions et de la CALRE.	
<b>Belgium/Senat</b>	Yes		Observers	Dans l'article 4.3 du Règlement de la COSAC, il y aurait lieu d'insérer entre les mots « observateurs » et « du » les mots « du Comité des Régions ».  Le Comité des Régions est un organe consultatif de l'Union et devrait pouvoir envoyer un observateur (membre du CdR) à la COSAC, comme le Conseil et la Commission.	Si le Comité des Régions recevait le statut d'observateur, la question se pose de l'intérêt d'un statut d'observateur supplémentaire pour la CALRE.
<b>Cyprus</b>	Yes		Observers		
<b>Czech Republic: (Chamber of Deputies)</b>	Yes		Observers		
<b>Czech Republic: (Senate)</b>	No	Taking into account of the impact of involvement of regional assemblies in COSAC on the role as well as on the agenda of the conference		A limitation of simultaneous interpretation to 2-3 official languages seems to be inevitable	
<b>Denmark</b>	No	The view of the Danish Parliament is that COSAC is and should continue to be a co-operation between the European Affairs Committees of the parliaments. Furthermore, regional and local authorities already co-operate through			

		<p>the Committee of the Regions.</p> <p>As such, the Danish Parliament sees no need to expand on the number of participants in the COSAC co-operation.</p>			
<b>Estonia</b>	Yes, but not as a separate delegation		Each Member State has a delegation consisting of 6 delegates. It should be left to the Member State to decide, who is appointed.		
<b>Finland</b>	Yes		Representatives of the regional assemblies should be included in the national delegations and the decision (how and when) should be left to the national parliaments.		
<b>France (Assemblée Nationale)</b>	Non	La COSAC serait dénaturée par cette évolution. Elle réunit les organes spécialisés de nos Parlements. Une autre composition changerait sa nature, donc sa mission et sa légitimité. Il existe le Comité des Régions où les assemblées régionales sont représentées.		No change	Modifier la composition des délégations à la COSAC ce serait ne plus faire de celle-ci une réunion de parlementaires et réduire le rôle des parlements nationaux. Ce n'est pas acceptable.
<b>France (Senat)</b>	Non	<p>1°– Les traités consacrent l'existence de la COSAC dans le protocole sur le rôle des <u>parlements nationaux</u>.</p> <p>2°– Le Comité des régions assure déjà la participation de « représentants des collectivités régionales et locales » au processus législatif communautaire. Il peut en outre émettre de sa propre initiative tous les avis qu'il juge utiles.</p> <p>3°– Le lien entre les régions à compétence législative et la COSAC devrait être assuré par les</p>			Aucun pour le moment. La COSAC a consacré trop de temps aux débats sur la modification de son règlement ces dernières années.

		Chambres hautes des parlements nationaux, qui ont généralement une relation directe avec les régions à compétence législative et qui participent à la COSAC.			
<b>Germany (Bundestag)</b>	Yes		Participate on equal footing with other delegates in their national delegation.		
<b>Germany (Bundesrat)</b>	Yes		Possibility of having 1 participant in national delegation		
<b>Greece</b>					
<b>Hungary</b>					
<b>Ireland</b>					
<b>Italy</b>	Yes		3 Observers appointed by the troika on the basis of proposal from CALRE after having consulted the national delegations represented in CALRE.		
<b>Latvia</b>					
<b>Lithuania</b>	Yes		Observers		
<b>Luxembourg</b>	No	COSAC should remain exclusively composed of members of National Parliaments. Even today it is difficult to reach a consensus on various issues, and a participation of regional parliamentarians will lead to a lack of transparency.			
<b>Malta</b>					
<b>Netherlands</b>					
<b>Poland</b>					
<b>Portugal</b>	Yes		Observers within the framework of the CALRE delegation	The necessary ones	
<b>Slovakia</b>					
<b>Slovenia</b>					
<b>Spain</b>	-				The Spanish delegation is nowadays unable to express a valid position on the possible involvement of the regional assemblies in COSAC.
<b>Sweden</b>					
<b>United Kingdom (House of Commons)</b>	No	COSAC should be composed of national parliamentarians; otherwise it will lose coherence and focus.			None, but willing to consider a small number of observers
<b>United</b>	No				But happy to discuss

<b>Kingdom (House of Lords)</b>					possible observer status.
<b>Bulgaria</b>					
<b>Rumania</b>					
<b>Turkey</b>					
<b>European Parliament</b>					



